



Express Mail No.: EV473972060US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Brines et al.

Confirmation No.: 5119

Application No.: 09/717,057

Group Art Unit: 1647

Filed: November 21, 2000

Examiner: DeBerry, Regina M.

For: MODULATION OF EXCITABLE  
TISSUE FUNCTION BY  
PERIPHERALLY ADMINISTERED  
ERYTHROPOIETIN

Attorney Docket No.: 10165-010-999

**SUBMISSION OF ISSUE AND PUBLICATION FEES**

Mail Stop Issue Fee  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In response to the Notice of Allowance and Fees Due mailed on May 18, 2007 in connection with the above-identified patent application, submitted herewith is:

- (i) the Fee Transmittal (Form PTOL-85), including authorization of the required fees (in duplicate);
- (ii) a Transmittal Of Change Of Correspondence Address Form, with Change of Correspondence Address Form PTO/SB/122;
- (iii) a Notification Of Loss Of Entitlement To Small Entity Status Under 37 C.F.R. § 1.27(g)(2) (in duplicate);
- (iv) a Request For A Corrected Filing Receipt, with a marked-up copy of an Updated Filing Receipt issued April 16, 2001, a copy of the first original Filing Receipt issued March 22, 2001, a copy of an Application Data Sheet Under 37 C.F.R. § 1.72, and a copy of the return Express Mail Receipt, dated February 22, 2001;
- (v) a Transmittal Of Revocation And Power Of Attorney, with Revocation And Power Of Attorney and a copy of a Certificate of Amendment of The Certificate of Incorporation of The Kenneth S. Warren Laboratories, Inc;

and

(vi) Amendment Under 37 C.F.R. § 1.312, with copies of the Request For Filing a Divisional Application Under 37 C.F.R. § 1.53(b) And Patent Application Fee Value Sheet, dated November 21, 2000, and the Application Data Sheet Under 37 C.F.R. § 1.72 and return Express Mail Receipt, dated February 22, 2001.

Please charge the required fees, estimated to be \$1,700 (for large entity, a \$1,400 issue fee and \$300 publication fee), to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

Respectfully submitted,

Date: August 14, 2007

Laura A. Coruzzi 30,742  
Laura A. Coruzzi (Reg. No.)

By: Eileen E. Falvey 46,097  
Eileen E. Falvey (Reg. No.)

Enclosures



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ERYTHROPOIETIN

Attorney Docket No.: 10165-010-999

**NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY  
STATUS UNDER 37 C.F.R. § 1.27(g)(2)**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned, Attorney of record, respectfully notifies the Patent and Trademark Office of a change in status resulting in loss of entitlement to Small Entity Status, pursuant to 37 C.F.R. §1.27(g)(2). Although Small Entity Status was correctly established for the above-identified application at the time of filing, the above-identified application is no longer eligible for entitlement to Small Entity Status at the time of paying the issue fee, submitted concurrently herewith.

The Attorney of record is thus notifying the Patent and Trademark Office of such change of status for paying the issue and publication fees in connection with the above-identified application.

If there is any other fee associated with payment as a Large Entity for the above-identified application, the Commissioner is authorized to charge such fee to Jones Day Deposit Account No. 50-3013. A duplicate of this sheet is enclosed.

Respectfully submitted,

Date: August 14, 2007

Laura A. Coruzzi 30,742  
Laura A. Coruzzi (Reg. No.)

By: Eileen E. Falvey 46,097  
Eileen E. Falvey (Reg. No.)

Enclosure

Express Mail No. Eh 501 637 075US First Class Mail ( )  
Date Mailed 3/22/01

Date Mailed 2/22/01  
Seq No. 091711

Ser. No. 89141-057  
Inventor

Inventor Brines et al  
Ex. No.

First Class Mail ( )

Inventor Baines et al.  
For MODULATION OF EXCITABLE TISSUE FUNCTION BY  
PERIPHERALLY ADMINISTERED CRYTHROPOIETIN

Affidavit/Declaration  
 Amendment Preliminary + Request  
 Application \_\_\_\_\_ Pages To Establish Small Entity  
 Claims \_\_\_\_\_ Drawings Entity  
 Appeal, Notice of \_\_\_\_\_  
 Assignment \_\_\_\_\_  
 Brief (in triplicate)  
 Declaration & Power of Attorney  
 Design Application \_\_\_\_\_  
 Disclaimer \_\_\_\_\_  
 Disclosure Statement + PTO Form 1449  
 w/refs.  w/o refs. List of References  
 Drawings Formal \_\_\_\_\_ Sheets \_\_\_\_\_ Figures

Fee Address Indication Form  
 Fee Calculation  
 Issue Fee Transmittal  
 Letter  
 Oral Hearing Req./Confirm.  
 Petition to Extend Time FEB 22, 2001  
 Pet. under 37 C.F.R. \_\_\_\_\_  
 Power of Attorney \_\_\_\_\_ Associate \_\_\_\_\_ w/Revocation  
 Sequence Listing w/Computer Readable and Paper Copies  
 Small Entity Statement  
 Status Letter  
 Transmittal Letter

Other: Application Data Sheet Under 37 CFR §1.72

File No. 10165-010-099 Sender: LAC/ESE

Express Mail No. EL 501 637 075VS First Class Mail ( )

Express Mail No. 22201  
Date Mailed 2/22/01

Date Mailed 09/17/057  
Set No.

Filed 11/21/00

Serial No. 5,111,500  
Inventor Brinley et al.

Inventor D. GREGG  
For MODULATION OF EXCITATION

( ) Fee Address Indication Form

Affidavit/Declaration  
 Amendment Preliminary + Request  
 Application Pages To Establish Small Entity  
 Claims Drawings Entity  
 Appeal, Notice of  
 Assignment  
 Brief (in triplicate)  
 Declaration & Power of Attorney  
 Design Application  
 Disclaimer  
 Disclosure Statement + PTO Form 1449  
 w/refs.  w/o refs. List of References  
 Drawings Formal Sheets Figures  
 Fee Address Indication Form  
 Fee Calculation  
 Issue Fee Transmittal  
 Letter  
 Oral Hearing Req/Confirm.  
 Petition to Extend Time FEB 22  
 Pet. under 37 C.F.R.  
 Power of Attorney Associate w/Revocation  
 Sequence Listing w/Computer Readable and Paper Copies  
 Small Entity Statement  
 Status Letter  
 Transmittal Letter

Other: Application Data Sheet Under 37 CFR 91.72

File No. 10165-010-999 Sender: LAC/EZF